

Judge Ricardo S. Martinez

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

ROMELIA PEREZ,

Plaintiff,

v.

AMERICAN FAMILY INSURANCE
COMPANY,

Defendant.

Case No. 2:20-cv-00849 RSM

**STIPULATION AND ORDER TO
AMEND DEADLINES IN JSR AND FOR
AMENDMENT OF PLEADINGS**

Noted for: October 1, 2020

I. STIPULATION

The parties to this action, by and through the undersigned counsel, hereby stipulate that the agreement contained in the Joint Status Report to mediate this matter within 90 days be amended allow for mediation to take place by November 30, 2020. *See* Dkt. 8 at ¶4(A). The paragraph should be amended to state:

The parties agree to participate in mediation with an agreed-upon mediator, with the costs of mediation paid by American Family, **by December 31, 2020**. The parties will work in good faith to complete initial discovery in order to facilitate a meaningful mediation.

Good cause exists to continue this deadline as counsel for Plaintiff and Defendant became aware of additional issues related to the claims in this action since the filing of the JSR for which the parties require additional time to evaluate prior to mediation. Specifically, structural issues

1 regarding the loss property were discovered which are undergoing expert evaluation. The parties
 2 require the expert's conclusions before they can effectively mediate this matter.

3 Further, in order to facilitate mediation, the parties also stipulate that the current October
 4 31, 2020, deadline to amend pleadings be continued to January 31, 2021. This continuance is
 5 warranted due to the outstanding discovery issues, and to afford the parties time to engage in
 6 meaningful ADR.

7 The parties agree that there is good cause to amend the deadline for mediation as stated
 8 in the Joint Status Report and to continue the deadline for amending pleadings in this matter. A
 9 continuance will not prejudice either party's case at trial, but failure to grant a continuance will
 10 substantially prejudice the parties as it may adversely affect the likelihood of early resolution.
 11 The parties agree that the Court should amend paragraph 4(A) of Dkt. 8 as outlined above, and
 12 also continue the deadline for amending pleadings to January 31, 2020 pursuant to this
 13 stipulation.

14 DATED this 1st day of October, 2020.

15 RUIZ & SMART PLAINTIFF LITIGATION

COLE | WATHEN | LEID | HALL PC

16 s/ Kathryn Knudsen (per email authorization)

17 Isaac Ruiz, WSBA #35237

Kathryn Knudsen, WSBA #41075

18 *Attorneys for Plaintiffs*

95 S Jackson St Ste 100

19 Seattle, WA 98104

T: (206) 203-9100

20 iruiz@plaintiffslit.com

kknudsen@plaintiffslit.com

s/Christopher J. Roslaniec

Rory W. Leid, WSBA No. 25075

Christopher J. Roslaniec, WSBA #40568

19 *Attorneys for Defendant*

1505 Westlake Avenue North, Suite 700

Seattle, WA 98109-6243

T: (206) 622-0494

20 rleid@cwllhlaw.com

croslaniec@cwllhlaw.com

II. ORDER

IT IS HEREBY ORDERED that paragraph 4.(A) of the July 28, 2020, Joint Status Report is amended to state:

The parties agree to participate in mediation with an agreed-upon mediator, with the costs of mediation paid by American Family, **by December 31, 2020**. The parties will work in good faith to complete initial discovery in order to facilitate a meaningful mediation.

IT IS FURTHER ORDERED that the current October 31, 2020, deadline for amending pleadings be continued to January 31, 2021.

DATED: October 5, 2020.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

COLE | WATHEN | LEID | HALL, P.C.

s/ Christopher J. Roslaniec
Rory W. Leid, WSBA No. 25075
Christopher J. Roslaniec, WSBA #40568
Attorneys for Defendant American Family
1505 Westlake Avenue, Suite 700
Seattle, WA 98109
Tel: (206) 622-0494 | Fax: (206) 587-2476
rleid@cwllhlaw.com | croslaniec@cwllhlaw.com

Approved as to form:

Ruiz & Smart Plaintiff Litigation PLLC

s/ Kathryn Knudsen (per email authorization)
Isaac Ruiz, WSBA #35237
Kathryn Knudsen, WSBA #41075
Attorneys for Plaintiffs

95 S Jackson St Ste 100
Seattle, WA 98104
T: (206) 203-9100; F: (206) 785-1702
iruiz@plaintiffllit.com; kknudsen@plaintiffllit.com

CERTIFICATE OF SERVICE

The undersigned makes the following declaration certified to be true under penalty of perjury pursuant to RCW 9A.72.085:

On the date given below, I hereby certify that I caused the foregoing to be filed using the United States District Court for Western District of Washington – Document Filing System (CM/ECF) and a true and correct copy to be served on the following parties in the manner indicated:

<u>Attorney for Plaintiff:</u> Isaac Ruiz, WSBA #35237 Kathryn Knudsen, #41075 Ruiz & Smart Plaintiff Litigation PLLC 95 S Jackson St Ste 100 Seattle, WA 98104 T: (206) 203-9100 F: (206) 785-1702 iruiz@plaintiffllit.com kknudsen@plaintiffllit.com	Via ECF
---	----------------

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this 1st day of October, 2020, at Seattle, Washington.

s/ Sonia Chakalo
Sonia Chakalo, Legal Assistant
schakalo@cwllhlaw.com